



Federal Register

1-26-06

Vol. 71 No. 17

Thursday

Jan. 26, 2006

Pages 4231-4450



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see www.archives.gov.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.gpoaccess.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via e-mail at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the **Federal Register** paper edition is \$749 plus postage, or \$808, plus postage, for a combined **Federal Register**, **Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register**, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see bookstore.gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 71 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202-512-1800
Assistance with public subscriptions 202-512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche 202-512-1800
Assistance with public single copies 1-866-512-1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202-741-6005
Assistance with Federal agency subscriptions 202-741-6005

FEDERAL REGISTER WORKSHOP

THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

- FOR:** Any person who uses the Federal Register and Code of Federal Regulations.
- WHO:** Sponsored by the Office of the Federal Register.
- WHAT:** Free public briefings (approximately 3 hours) to present:
1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
 2. The relationship between the Federal Register and Code of Federal Regulations.
 3. The important elements of typical Federal Register documents.
 4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

WHEN: Tuesday, February 7, 2006
9:00 a.m.–Noon

WHERE: Office of the Federal Register
Conference Room, Suite 700
800 North Capitol Street, NW.
Washington, DC 20002

RESERVATIONS: (202) 741-6008



Contents

Federal Register

Vol. 71, No. 17

Thursday, January 26, 2006

Agriculture Department

See Commodity Credit Corporation

See Forest Service

Antitrust Division

NOTICES

National cooperative research notifications:

AAF Association, Inc., 4378–4379

Interchangeable Virtual Instruments Foundation, Inc.,
4379

PXI Systems Alliance, Inc., 4379

Coast Guard

NOTICES

Meetings:

Chemical Transportation Advisory Committee, 4371

Commerce Department

See International Trade Administration

See National Oceanic and Atmospheric Administration

Commodity Credit Corporation

RULES

Loan and purchase programs:

Cottonseed Payment Program, 4231–4234

Defense Department

PROPOSED RULES

User charges; appropriate charges for authorized services,
4332–4335

Drug Enforcement Administration

NOTICES

Applications, hearings, determinations, etc.:

Johnson Matthey, Inc., 4379–4380

Education Department

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 4356

Grants and cooperative agreements; availability, etc.:

Innovation and improvement—

Transition to Teaching Program, 4442–4449

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency

NOTICES

Superfund; response and remedial actions, proposed
settlements, etc.:

Bountiful/Woods Cross/5th South PCE Plume NPL Site,
UT, 4364–4365

Executive Office of the President

See Management and Budget Office

Federal Aviation Administration

RULES

Class D and E airspace; correction, 4240–4241

Class E airspace, 4241–4243

Standard instrument approach procedures, 4243–4244

PROPOSED RULES

Airworthiness directives:

Airbus, 4313–4317

Class E airspace, 4317–4319

NOTICES

Advisory circulars; availability, etc.:

Part 23 airplanes—

Airborne electronic hardware; design assurance
guidance, 4394–4395

Aeronautical land-use assurance; waivers:

Manchester Airport, NH, 4395

Technical standing orders:

Aircraft image recorder systems, 4395–4396

Federal Energy Regulatory Commission

RULES

Electric utilities (Federal Power Act):

Energy market manipulation; prohibition, 4244–4258

NOTICES

Electric rate and corporate regulation combined filings,
4360–4361

Meetings:

Assessment of demand response resources; technical
conference, 4361

PJM Interconnection, LLC; technical conference, 4361–
4362

Natural Gas Policy Act, etc.:

Natural gas pipeline negotiated rate policies and
practices, 4362–4364

Applications, hearings, determinations, etc.:

Burney Forest Products et al., 4357

Dominion Transmission, Inc., 4357

El Paso Marketing, L.P., 4357–4358

Northwest Pipeline Corp., 4358

Oklahoma Gas & Electric Co., et al., 4359

PJM Interconnection, L.L.C., 4359

Public Service Co. of New Hampshire, 4359

Vernon, CA, 4360

Federal Mine Safety and Health Review Commission

NOTICES

Meetings; Sunshine Act, 4382

Federal Procurement Policy Office

PROPOSED RULES

Acquisition regulations:

Insurance cost accounting, 4335–4337

Federal Reserve System

NOTICES

Banks and bank holding companies:

Formations, acquisitions, and mergers, 4365

Permissible nonbanking activities, 4366

Financial Management Service

See Fiscal Service

Fiscal Service

NOTICES

Surety companies on Federal bonds; acceptable,
unacceptable, etc.:

Acstar Insurance Co., 4398

United Coastal Insurance Co., 4398

Fish and Wildlife Service

RULES

Migratory bird hunting:

Tungsten-iron-copper-nickel, iron-tungsten-nickel alloy, tungsten-bronze, and tungsten-tin-iron shot approval as nontoxic for waterfowl and coots hunting, 4294–4297

PROPOSED RULES

Endangered and threatened species:

Findings on petitions, etc.—

American dipper; Black Hills, SD, population, 4341–4344

Mussentuchit gilia, 4337–4341

NOTICES

Comprehensive conservation plans; availability, etc.:

Eufaula National Wildlife Refuge, AL and GA, 4373

Endangered and threatened species permit determinations, etc., 4373–4375

Foreign Assets Control Office

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 4398–4399

Forest Service

NOTICES

Environmental statements; notice of intent:

Coconino National Forest, AZ, 4346–4348

Health and Human Services Department

See Substance Abuse and Mental Health Services Administration

NOTICES

Federal claims; interest rates on overdue debts, 4366

Federal real property use to assist homeless, 4366–4367

Homeland Security Department

See Coast Guard

See U.S. Citizenship and Immigration Services

Housing and Urban Development Department

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 4372–4373

Interior Department

See Fish and Wildlife Service

See Land Management Bureau

See Reclamation Bureau

Internal Revenue Service

RULES

Income taxes:

Corporate statutory mergers and consolidations; business electronic filing guidance, 4276–4294

Statutory mergers and consolidations, 4259–4263

Stock or securities in exchange for, or with respect to, stock or securities in certain transactions; determination of basis; excess loss accounts treatment, 4264–4276

PROPOSED RULES

Income taxes:

Designated Roth accounts, 4320–4331

Excess loss accounts treatment, 4319–4320

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 4399–4402

Meetings:

Taxpayer Advocacy Panels, 4402–4403

International Trade Administration

NOTICES

Antidumping:

Brass sheet and strip from—

Germany, 4348–4349

Honey from—

Argentina, 4349–4350

Softwood lumber products from—

Canada, 4350–4352

Justice Department

See Antitrust Division

See Drug Enforcement Administration

NOTICES

Pollution control; consent judgments:

Green, Daniel, et al., 4377–4378

Northrop Grumman Systems Corp., 4378

Wallington Borough, Bergen County, NJ, 4378

Labor Department

See Mine Safety and Health Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 4380–4382

Land Management Bureau

NOTICES

Oil and gas leases:

Colorado, 4375

Realty actions; sales, leases, etc.:

Utah, 4375–4376

Survey plat filings:

New Mexico, 4376–4377

Management and Budget Office

See Federal Procurement Policy Office

NOTICES

Federal programs; cost-effectiveness analysis; discount rates (Circular A-94), 4383–4384

Millennium Challenge Corporation

NOTICES

Meetings; Sunshine Act, 4382

Mine Safety and Health Administration

PROPOSED RULES

Metal and nonmetal mine safety and health:

Underground mines—

Diesel particulate matter exposure of miners, 4331

Mine Safety and Health Federal Review Commission

See Federal Mine Safety and Health Review Commission

National Credit Union Administration

RULES

Credit unions:

Uninsured secondary capital accounts, 4234–4240

National Highway Traffic Safety Administration

NOTICES

Motor vehicle safety standards; exemption petitions, etc.:

Bridgestone Firestone North America Tire, LLC, 4396

Cooper Tire & Rubber Co., 4396–4397

National Oceanic and Atmospheric Administration**RULES**

Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone—
Pollock, 4311–4312

Atlantic highly migratory species—
Atlantic bluefin tuna, 4310–4311

Marine mammals:

Taking and importing—
Kodiak Island, AK; rocket launches at Kodiak Launch
Complex; pinnipeds, 4297–4310

PROPOSED RULES

Endangered and threatened species:

Findings on petitions, etc.—
North Pacific right whale, 4344–4345

NOTICES

Marine mammals:

Incidental taking; authorization letters, etc.—
San Francisco-Oakland Bay Bridge, CA; construction of
east span; California sea lions, Pacific harbor seals,
harbor porpoises, and gray whales, 4352–4356

National Science Foundation**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 4382–4383

Office of Management and Budget

See Management and Budget Office

Public Debt Bureau

See Fiscal Service

Railroad Retirement Board**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 4384

Reclamation Bureau**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 4377

Securities and Exchange Commission**RULES**

Securities:

Information required in proxy statement (Schedule 14A);
CFR correction, 4244

Trusts; CFR correction, 4244

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 4384–4385

Practice and procedure:

Classified national security information; mandatory
declassification review request delivery address,
4386

Self-regulatory organizations; proposed rule changes:

American Stock Exchange LLC, 4386–4391

Chicago Board Options Exchange, Inc., 4391

New York Stock Exchange, Inc., 4391–4394

Applications, hearings, determinations, etc.:

CITGO Petroleum Corp., 4385

State Department**NOTICES**

Antarctic Marine Living Resources Conservation
Convention:

Antarctic fishing conservation measures and resolutions;
U.S. obligations, 4406–4440

Culturally significant objects imported for exhibition
determinations:

Amorous Intrigues and Painterly Refinement: The Art of
Frans van Mieris, 4394

Senior Executive Service:

Performance Review Boards; membership, 4394

**Substance Abuse and Mental Health Services
Administration****NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 4367–4371

Surface Transportation Board**NOTICES**

Rail services abandonment:

BNSF Railway Co., 4397–4398

Transportation Department

See Federal Aviation Administration

See National Highway Traffic Safety Administration

See Surface Transportation Board

Treasury Department

See Fiscal Service

See Foreign Assets Control Office

See Internal Revenue Service

U.S. Citizenship and Immigration Services**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 4372

Veterans Affairs Department**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 4403–4404

Separate Parts In This Issue**Part II**

State Department, 4406–4440

Part III

Education Department, 4442–4449

Reader Aids

Consult the Reader Aids section at the end of this issue for
phone numbers, online resources, finding aids, reminders,
and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents
LISTSERV electronic mailing list, go to <http://listserv.access.gpo.gov> and select Online mailing list
archives, FEDREGTOC-L, Join or leave the list (or change
settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

7 CFR

14274231

12 CFR

7014234

7414234

14 CFR

71 (3 documents) ...4240, 4241,

4242

974243

Proposed Rules:

394313

714317

17 CFR

240 (2 documents)4244

18 CFR

1c4244

26 CFR

1 (3 documents)4259, 4264,
4276

Proposed Rules:

1 (2 documents)4319, 4320

30 CFR**Proposed Rules:**

574331

32 CFR**Proposed Rules:**

2044332

48 CFR**Proposed Rules:**

99044335

50 CFR

204294

2164297

6354310

6794311

Proposed Rules:

17 (2 documents)4337, 4341

2234344

2244344